

PERSONNEL INSIGHTS

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Comment from Our Technical Director

*On behalf of all AFPC Staffing Servicing Teams
We wish you love, peace and happiness this Holiday Season!*



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How are employees who are called up to the Reserves or National Guard Duty Handle in RIF?

Any Air Force employee who performs duty with a uniformed service (including active duty, active duty for training, or inactive duty training), whether voluntary or involuntary, is entitled to be restored to the position he or she would have attained had the employee not entered the uniformed service.

Uniformed service means the Armed Forces; the Army and Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty; the commissioned corps of the Public Health Service; and any other category of persons designated by the President in time of war or emergency.

While on duty with the uniformed services, the Air Force carries the employee on leave without pay (LWOP-US) unless the employee requests separation. A separation under these circumstances does not affect restoration rights.

Reduction-in-Force (RIF) Protections while on LWOP-US:

An employee may not be demoted or separated (other than military separation) while on active duty. RIF is not considered “for cause” in this situation. An employee on LWOP-US is not a “competing employee” in RIFs that impact his position or competitive area while they are gone. If the employee’s position is abolished during such absence, they are not listed on the retention register (reference 5 CFR 351.404) and the agency must reassign the employee to another position of like status, and pay.

Reduction-in-Force (RIF) Protections upon Return to Duty/Reemployment:

Upon reemployment, an employee may not be discharged, except for cause. Again, RIF is not considered “for cause” in this situation.

- If the period of uniformed service was more than 180 days, the employee is protected from “separation” for a period of 1 year.
- If the period of uniformed service was more than 30 days, but less than 181 days, the employee is protected from “separation” for 6 months.

If an employee with restoration rights is reached for release from a competitive level in RIF (during the applicable mandatory retention period), the AF is obligated to find another position for the employee rather than separate the employee. This means the RIF could be run, and the employee would compete in it, but the employee could not be separated. They may be downgraded or reassigned, though. The agency may also management reassign the individual to another Air Force position in a different competitive area which meets the conditions of his/her restoration rights.

Otherwise, they are given a mandatory exception in the retention order for the applicable period of time (that is remaining on their 6 month or 1 year retention period).



When is a “Reclassification” action a RIF?

In the Federal government, reduction in force (RIF) is a term that only applies to very specific situations. The actions covered are listed in 5 CFR 351.201 (2). Reclassification of a position is covered only when the reclassification is due to erosion of duties and both the following two additional conditions exist:

- The downgrading action will take effect after an agency has formally announced a RIF in the competitive area
- The RIF will occur (be effective) within 180 days after the downgrading action is taken

All other reclassification actions are specifically excluded from RIF coverage (e.g. application of new standard, correction of a classification error, or erosion of duties when a RIF is not going to occur with 180 days).

Often, “reclassification” is confused with “reorganization” as the reason a RIF is requested. “Reorganization” is the planned elimination, addition, or redistribution of functions or duties in an organization. Reorganization may be small and involve only one position in an organization, or it may be large and involve the movement or restructuring of many positions. As long as the reorganization resulted from a program decision and not because of personal reasons (such as reprisal against an employee or because of an employee’s performance problems) it may be a reason for RIF, providing one or more employee will be separated or downgraded as a result of the reorganization. Appellate review by the Merit Systems Protection Board has supported agencies using RIF to reorganize when:

- They’re an actual abolishment of a position (see *Casselli v. Army*, 27 M.S.P.R 195, 1985)
- There is clearly the redistribution of some or all of the duties and responsibilities associated with the abolished position (see *O’Connell v. Health and Human Services*, 21 M.S.P.R. 257, 1984)

When considering RIF procedures to place individuals because their positions have been reclassified at a higher grade, another concern CPFs should have is the agency (AF) guidance on upgrading positions through classification. AFMAN 36-203, Table 2.4 rules 1 and 4 prohibits the use of RIF procedures in certain situations when a position is upgraded. You may not use RIF to place surplus employees when their positions are upgraded and the new position is a successor position, or when there is no significant change in duties and responsibilities from the former position, when the incumbent is qualified and eligible to be promoted.

Getting Ready for 2003 GS Pay Adjustments

The annual GS (and GG, GM, SES, IE, SL, ST) pay adjustment will be 12 January 2003, which is fast approaching. Since this will be a large Suspense processing under Modern, we wanted to be sure that everything goes as smoothly as possible. One issue is the impact of an employee assigned to a position with a past not-to-exceed (NTE) date. These employees will not get any kind of automatic SF-50 (e.g., NOAC 894, 893, 880), because of the past NTE date.

AFPC/DPCX sends out reports monthly about upcoming Position NTE dates. Please be sure you work them, so that any employees occupying them on 12 January 2003 can get their SF-50 pay adjustments.

Setting EOD Dates

We'd like to remind CPFs that any selection and offer is tentative until employment eligibility is verified. Applicants sometimes claim eligibilities or veterans preference they don't actually have. Until AFPC can verify the selectee's appointment eligibility (via DD214, SF-50, transcripts, etc.), an EOD should not be established or placed in Part B, Item 4, Effective Date, of the RPA. Managers can place a proposed effective date in Part A, Item 4, of the RPA. The requirement for upfront documentation was abolished in early May, 1999.



GS-0334 Special Rate Positions

The November 2002 edition of *FASTRACK* has an important article about the GS-0334 and its pending removal from the 999A-F special rate charts. It's included here for those of you who haven't seen it:

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Nov 1, 2002

Implementation of JFS for Administrative Work in the Information Technology (IT) Group, GS-2200

The one-year implementation period for the IT JFS ended June 30, 2002. Failure to implement the IT standard may pose serious consequences, e.g., the Office of Personnel Management (OPM) announced plans to delete the GS-334 series from the IT special salary rate (SSR) tables in January 2003. Because IT SSRs are significantly higher than basic General Schedule rates, a large percentage of GS-334 employees will be placed on pay retention. When they are subsequently reclassified to the GS-2210 series, 5 CFR 536.205(b)(4) requires that they be placed at step 10 of the grade in the SSR table, a significant cost increase to the Department.

This can also affect employees not placed on pay retention because the employee's basic rate of pay will fit into the basic General Schedule rate range upon movement from the IT SSR tables to the General Schedule. When the new standard is eventually applied and the employee moves back to the IT SSR table, multiple step increases could result. For example:

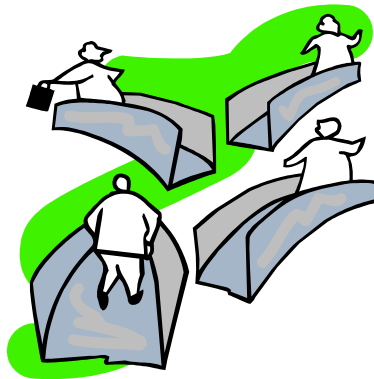
If a GS-334-11, step 1 employee, in the Washington, DC area, currently on SSR table 999C, remains a GS-334 when that series is dropped from the SSR table's coverage, pay would be set at GS-11, step 8 on the general schedule (5 CFR 530.306(b)). Then when the new standard is applied, the employee would be returned to the IT SSR table (999C) as a GS-2210-11, step 8 (5 CFR 530.306(a)).

Additionally, by memorandum dated May 28, 2002, OPM advised that it would eliminate the GS-334 series (among others) from the job entry system of USAJOBS. Such action by OPM could potentially affecting future recruitment actions on this position.

What does that mean to your base? GS-0334 positions will probably be redescribed as either 0335 or 2210 series positions. If an occupied 0334 position becomes a 0335 job, whether before or after the 12 January 2003 pay

adjustment, the timing will not have much (if any) effect on salary. However, if the 0334 position is redescribed as a 2210 position, timing can have a serious impact on payroll cost. In the *FASTRACK* example, using 2002 salaries (2003 salaries aren't posted yet), the additional cost is \$7,288 for that one employee. Some CPFs have close to 200 GS-0334 SSR positions. Even if half of those positions become 0335 jobs, if the remaining jobs are not reclassified and employee moved to the new 2210 SSR series until after the January 2003 pay adjustment, you could easily be talking about \$500K in extra payroll costs. If you are already contemplating a RIF due to lack of funds, things just got a lot worse.

Air Force is monitoring the number of positions classified as 0334. Because of problems with changing Pay Rate Determinants simultaneously with the pay adjustment, all reclassifications should be effective no later than 29 December 2002. Any positions that are still classified as 0334-05/07/09/11/12/13 will have incorrect pay adjustments process that will have to be corrected. If you have any such employees, please do not distribute the 894 SF-50 until the 002 SF-50 is received.



Actions on Separated Employees

What happens if you need to do an action (e.g., overlooked WGI) on an employee who is already separated? To create an RPA with that employee's name, you must **FIRST** put in the date, then type in the employee's last name. By typing in the date **FIRST**, you have date-tracked to a time when the "ex-employee" was a current "employee". If you put in the last name before you put in the date, you will not be able to find the employee, because the system is assuming the current date is the effective date, and on the current date, the separated employee is an "ex-employee", not an "employee". For any action (other than appointment), you should always put in the effective date first.

How to Process a Change in BUS Code

In the event that your CPF has a change in Bargaining Unit Status (BUS) Code for an encumbered position, you will need to process that change with an RPA (the BUS code displays on the SF-50). To do so, create a Change in Data Element job family RPA (under Change Actions). Put the effective date in Part B, Block 4 of the RPA, then put in the affected employee's last name. The NOAC is 800 (first on the List of Values), and the authority code for BUS Code changes is CGM (second on the LOV). Use remark M74, filling in "37" for the block number.

SF-61 Revised

OPM announced on 31 Oct 02 that it had revised the Standard Form 61, Appointment Affidavit. The new version of the form is dated August 2002. The NOTE at the bottom of the form has been changed as a result of the Religious Freedom Restoration Act. The previous versions are NOT usable. You can access the form at:

http://www.opm.gov/forms/pdf_fill/SF61.pdf.

Quick Info

Did You Know You Can Register on line for Career Programs?

<http://www.afpc.randolph.af.mil/cp>

Services Directory

AFPC Civilian Employment Internet Addresses

Civilian Employment Home Page:

<https://www.afpc.randolph.af.mil/afjobs/>

Directorate of Civilian Personnel Home Page: <http://www.afpc.randolph.af.mil/dpc>

Office of Personnel Management (OPM)

Home Page - <http://www.opm.gov>

Human Resources References - <http://www.opm.gov/references/>

USAJobs - <http://www.usajobs.opm.gov>

Veterans - <http://www.opm.gov/veterans/>

VetGuide/VetsInfo Guide - <http://www.opm.gov/veterans/index.htm>

People With Disabilities - <http://www.opm.gov/disability/>

Students - <http://www.studentjobs.gov>

Reduction In Force (RIF) - <http://www.opm.gov/rif/general/rifmenu.htm>

Retraining Centers "One-Stop Centers" -

<http://www.opm.gov/rif/general/onestop.htm>

Other Information

Veteran's Preference Advisor - <http://www.dol.gov/elaws/vetspref.htm>

America's Job Bank - <http://www.ajb.org>

Dept of Veterans Affairs - <http://www.va.gov/>

Defense Finance and Accounting Service (DFAS) - <http://www.dfas.mil>

Employee/Member Self Service (E/MSS) system - <http://www.dfas.mil/my pay/>